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STAND

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05 MAY 19 AM 8:14
PROGRAMS BRANCH

May 13, 2005

Beverly Negri (6SF-PO)
TAG Project Officer
U.S. Environmental Protection Agency
Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Re: Pantex Plant Superfund Site
Assistance Agreement 1-97631601-0
Transmittal

Dear Ms. Negri:

Enclosed please find STAND's Technical Progress Report for the calendar quarter that ended March 31, 2005. Copies of deliverables that were produced during this time period are also included.

If you have any questions about the report enclosed, please let me know. I can be reached at (806) 358-2622.

Sincerely,

Pamela S. Allison
Project Manager

Enclosures

STAND
7105 W 34th Ave, Ste E
Amarillo, Texas 79109

Phone: (806) 358-2622
Fax: (806) 355-3837
email: stand@arn.net

9828217

Sustainability in Technologies, Agriculture, and Nature's Diversity

Assistance Agreement No. 1-97631601-0

TAG QUARTERLY PROGRESS REPORT

Date: May 13, 2005

Report Number: 8

Report Period: January 1, 2005 to March 31, 2005

Site: Pantex Superfund Site

Grant Recipient: STAND, Inc.

Recipient Group Rep: Pam Allison, Project Manager

Technical Advisor: The Cadmus Group: IEER: George Rice

PROGRESS ACHIEVED:

- STAND - Printed and mailed the Cadmus Group's report *Citizens' Guide to the RFIRs*.

- STAND - Requested and obtained copies of analytical results from TCEQ co-sampling of Pantex groundwater; however, the data set were incomplete.

- STAND - Renewed contracts with George Rice and IEER.

- George Rice - Completed his review of changes to the *Pantex Risk Reduction Rule Guidance to the Pantex Plant RFI* and provided his written report to STAND.

- STAND - Emailed advance copies of reports produced by George Rice to EPA and TCEQ.

- STAND - Attended the quarterly Pantex Groundwater meeting on March 7 held at Panhandle, Texas, for Pantex' updates on the progress of environmental cleanup at Pantex.

- STAND - Requested and attended meeting with DOE, BWXT, and TCEQ Region I representatives on March 24, 2005. The purpose of the meeting was to demonstrate the inconsistencies of Pantex' data and applications of Pantex' Risk Reduction Rules to its data in the RFIRs. These concerns had been raised at 2 quarterly groundwater meetings, but were not addressed by DOE and/or BWXT, because DOE and BWXT did not understand the concerns. During this meeting, they recognized the inconsistencies and inaccuracies, and committed to evaluate and provide a written response to STAND. However, to date, a response has not been received.

- STAND - Mailed its periodic newsletter, STANDPoint; to its members and interested persons.

DIFFICULTIES ENCOUNTERED:

- Difficulty in having concerns heard/understood by DOE/BWXT Pantex; however, a meeting was held in which this was addressed (March 24).

PERCENT OF PROJECT COMPLETED TO DATE:

- 67 Percent (percentage adjusted due to additional funding)

DELIVERABLES PRODUCED THIS QUARTER:

- George Rice - Written report expressing concerns and shortcomings of DOE/BWXT revisions to the *Pantex Risk Reduction Rule Guidance to the Pantex Plant RFI*.

- STAND - Submitted George Rice's written report to EPA and TCEQ via electronic mail.

ACTIVITY ANTICIPATED IN NEXT QUARTER:

- Follow-up to determine whether or not some of the SWMUs and/or AOCs are indeed unaccounted for in the Final RFIRs.

- Follow-up at the next quarterly groundwater meeting about unresolved questions from last meeting.

- Schedule new tasks after evaluating the progress of RFIRs through memoranda submitted to the regulators by Pantex.

- Issue a Request for Proposals and provide Statement of Work in seeking technical assistance from a toxicologist(s) to review the Pantex Baseline Risk Assessment documents.

- Review Proposals to be received from toxicologist(s) who respond to the request for proposals for the Baseline Risk Assessment project.

TECHNICAL PROGRESS REPORT

George Rice / Stand Contract No. 1

Technical Advisory Services for Serious Texans Against Nuclear Dumping

March 1 – March 31, 2005

STAND TAG Project Director:	Pamela S. Allison
Effective Date:	March, 2005
Completion Date:	April, 2006

Summary of Activities for the Current Month

Reviewed the Department of Energy's revised *Risk Reduction Rule Guidance to the Pantex Plant RFI* (March 2004) and provided written comments based on this review.

Date	Hours
3-20	(b) (4)
3-21	
3-22	
3-24	
3-25	
3-26	
3-28	

Total Hours = (b) (4)

Fee = (b) (4)

Problems Encountered and Remedial Actions Taken

- None.

Anticipated Activities for Next Reporting Period

- none

Project Milestones

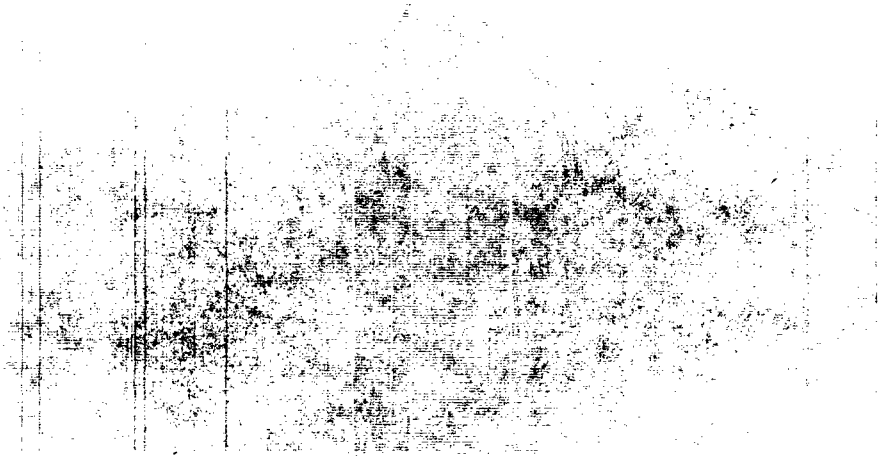
Task	Completion Date
Provide technical support to CADMUS Group and IEER, as necessary	continues

Task	Completion Date
Review _____	
Submit comments on _____ RFI	

Estimates for Next Month

Hours: none

Dollars: none



STAND

March 31, 2005

George Rice
414 E. French Place
San Antonio, TX 78212

Dear Mr. Rice:

This letter is to renew the contract originated between you and STAND on November 11, 2003, for technical assistance services (groundwater hydrology). Attached is an updated list of tasks that may be required under this contract renewal.

It is important to note that, at this time, the overall maximum payment for the contract **shall not exceed $5,000**. However, the remaining $5,000 contained in the original contract of $10,000 may be authorized in the future, should additional work be necessary and approved at that time by both you and STAND.

If you have any questions about this agreement, please let me know. I can be reached at (806) 358-2622. STAND appreciates the technical assistance you have provided in the past, and looks forward to working with you again.

Sincerely,

Tonya Kleuskens
President

Pam Allison
Project Manager

George Rice
Groundwater Hydrologist

Attachment

STAND
7105 W 34th Ave, Ste E
Amarillo, Texas 79109

Phone (806) 358-2622
Fax (806) 355-3537
email: stand@arn.net

Sustainability in Technologies, Agriculture, and Nature's Diversity

STAND

March 31, 2005

Arjun Makhijani, Ph.D.
President
Institute for Energy and Environmental Research (IEER)
6935 Laurel Ave, Suite 201
Takoma Park, MD 20912

Dear Dr. Makhijani:

This letter is to renew the contract originated between you and STAND on November 11, 2003, for technical assistance services (primarily, radionuclides and related expertise). Attached is an updated list of tasks that may be required under this contract renewal.

It is important to note that, at this time, the overall maximum payment for the contract **shall not exceed $10,000**. However, the remaining $10,000 contained in the original contract of $20,000 may be authorized in the future, should additional work be necessary and approved at that time by both you and STAND.

If you have any questions about this agreement, please let me know. I can be reached at (806) 358-2622. STAND appreciates the technical assistance you have provided in the past, and looks forward to working with you again.

Sincerely,

Tonya Kleuskens
President, STAND

Pam Allison
Project Manager

Arjun Makhijani, Ph.D.
President, IEER

Attachment

STAND
7105 W 34th Ave. Ste E
Amarillo, Texas 79109

Phone: (806) 358-2622
Fax: (806) 355-3837
email: stand@arn.net

Statement of Work for the Technical Advisor(s)

The Technical Advisor(s) review any or all of the following reports and information, as applicable to environmental restoration activities at the Pantex Superfund Site and as requested by STAND on a task-by-task basis. The tasks and scheduling of the tasks will depend on the submittal dates the documents and information are provided to the EPA and the TCEQ.

However, the focus of IEER will primarily be on the *Radionuclides Information Report*, and issues related to radionuclides – as agreed upon by technical representatives of IEER and STAND.

FY05

- Conceptual Models Strategy (provided that the strategy continues to be a part of dealing with uncertainties in the data) – updates
- Risk Reduction Rule Guidance Document, revision to address regulatory concerns (February 2005)
- Radionuclides Information Report (revised report or written responses to EPA, whichever results)
- Groundwater RFI Report – revised report or written responses to EPA and TCEQ, whichever results (February 2005)
- Additional responses and information provided to the EPA and TCEQ, regarding the Ditches and Playas RFI Report, Independent Sites RFI Report, and/or other RFI Reports, if submitted (February 2005)
- Baseline Risk Assessment Work Plan – Ecological Risks
- Baseline Risk Assessment
- Modifications to the Compliance Plan, as necessary
- Groundwater Modeling (August 2005)
- Baseline Risk Assessment for the Burning Ground (May 2005)
- Baseline Risk Assessment for the Southeast Area (September 2005)
- Permit renewals or modifications, if submitted
- Other unscheduled reports

FY06

- Corrective Measures Study (October 2005)
- Remedy Design and Implementation
- Corrective Measures Remedy Selection
- Public Participation
- Final Remedy Selection
- Permit renewals or modifications, if submitted
- Other unscheduled reports

FY07

- Corrective Measures Implementation
- Permit renewals or modifications, if submitted
- Other unscheduled reports

Pantex documents and/or information will be provided to the Technical Advisor (TA) for review, comments, and recommendations. If requested, the TA will then provide a draft report for STAND's review and comments. Additional peer-review may be requested for important or significant findings. Final reports will be edited and published by STAND for distribution to the public. For significant or important findings that deserve broader public discussions, STAND may request the TA to present and discuss the findings with the media and/or the public.

The above schedule will change in response to Pantex' ability to meet its project completion schedules. Documents that are completed will undergo review by the appropriate TA. Likewise, should unscheduled reports or permit modifications be issued that are relevant to the community's interest in cleanup of the Pantex Superfund Site, those reports shall be included in this list.

DELIVERABLES

- For each document reviewed, the TA will provide a letter of preliminary findings and concerns to STAND. STAND will provide a copy of each TA deliverable to EPA.
- If requested by STAND, the TA will provide a draft report for review and comments.
- In consultation with STAND, the TA will address comments and provide a draft final report.
- If STAND considers the report findings to be of sufficient importance to the community, STAND may request a peer-review of the report prior to publication.
- If STAND considers the report findings to be of sufficient importance to the community, and timing of the findings is relevant to the regulators' schedule, STAND may submit the TA's technical comments to representatives of the EPA and TCEQ.
- If STAND considers the report findings to be of sufficient importance to the community, STAND may request that the TA present and discuss the findings with the media and/or the public.
- If requested by STAND, the TA will attend and participate in public information meetings such as the quarterly (previously monthly) groundwater meetings held by Pantex and the state regulatory agency.
- STAND will hold a minimum of two public meetings per year in which it presents and distributes information to the public that it has gained through its review process.

Evaluation of the Department of Energy's revised *Risk Reduction Rule Guidance to the Pantex Plant RFI*, March 2004

George Rice, March 2005

This is an evaluation of the Department of Energy's (DOE) revised *Risk Reduction Rule Guidance to the Pantex Plant RFI* (RRRG, March 2004)[1]. The RRRG is a revision of DOE's April 2002 RRRG document[2].

This evaluation was performed on behalf of Serious Texans Against Nuclear Dumping (STAND), a non-profit organization of concerned citizens.

One of the major purposes of the RRRG is to determine background concentrations of contaminants in the Ogallala Aquifer at the Pantex Plant[3]. Background concentrations are also referred to as Risk Reduction Standard 1 (RRS 1) concentrations[4]. These background concentrations, once accepted by the State of Texas, will be used to define the amount and areal extent of groundwater contamination associated with the Pantex Plant. Cleanup will not be required in areas where contaminant concentrations are less than background[5].

STAND evaluated DOE's earlier RRRG document[6]. Many of the problems identified in the earlier document remain in the revised document. Those problems are briefly outlined below. Additional information is contained in STAND's earlier evaluation.

- Some of the wells used to establish background concentrations are on Pantex property or down gradient of Pantex. Thus, they may have been affected by contaminants emanating from the Plant.

- Contaminants associated with Pantex have been found in wells used by the DOE to establish background concentrations.

- Some of the wells used to establish background concentrations appear to be completed in both the Ogallala Aquifer and the Dockum Group. Samples from these wells will be a mixture of waters from both units and, thus, will not be representative of water quality in the Ogallala Aquifer alone.

- The DOE appears to have used analyses of unfiltered samples to establish background concentrations for metals. Use of unfiltered samples

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[1] DOE, 2004a, see references.
[2] DOE 2002a.
[3] DOE 2002a, page 2 and table 3-6. The background concentrations established for the Ogallala Aquifer will also be applied to the perched aquifer (DOE 2004a, page 23).
[4] DOE 2004a, page 1.
[5] DOE 2004a, page 1.
[6] STAND 2003a.

can result in estimates of metal concentrations that are higher than actual concentrations.

- The DOE has not used the most sensitive analytical method to analyze background samples. This has resulted in the establishment of background concentrations for some man-made contaminants that equal or exceed health-based standards.

- The DOE has overestimated the background concentration of thallium by a factor of more than 75.

- The DOE has overestimated the background concentration of chromium by a factor of more than four.

The following sections discuss problems identified in DOE's revised RRRG document.

Revised background concentrations

The background concentrations of metals in groundwater that were established in the April 2002 RRRG are unchanged in the March 2004 RRRG[7].

However, DOE has changed some background concentrations (RRS 1) for organic compounds in groundwater[8]. All of the changes are increases. That is, they may result in a lesser degree of protection and cleanup than would be required under the original values. The changes are listed in the table 1.

Table 1
Changes in Background Concentrations (RRS 1) for Organic Compounds

Compound	April 2002 value (µg/L)	March 2004 value (µg/L)	Percent increase
benzene	2.5	3.0	20
carbon disulfide	2.5	5.0	100
carbon tetrachloride	2.5	3.0	20
dibromomethane	2.5	3.0	20
isobutyl alcohol	250	1000	400

The RRS 1 values were increased because the practical quantitation limits (PQLs) for these compounds were increased. The PQL is considered background for contaminants that do not occur naturally[9]. The PQL is defined as the: "*lowest concentration of an analyte which can be reliably quantified within*

[7] DOE 2002a, table 3-6 and DOE 2004a, table 3-6.
[8] DOE 2002a, table 3-13 and DOE 2004a, table 3-13.
[9] DOE 2004a, page 10.

specified limits of precision and accuracy during routine laboratory operating conditions."[10] The PQL is not the same as the analytical detection limit. For water samples, DOE set the PQL at five times higher than the detection limit[11].

The revised RRRG document does not provided any explanation for the changed PQL/background values. No changes should be accepted until DOE provides an adequate reason for the change.

DOE also revised a number of RRS 2 concentrations (e.g., 1,1-dichloroethane, acetone, PETN). Again, the revised RRRG does not provide any explanation for the changed values. They should not be accepted until DOE provides an adequate reason for the changes.

Justification of chromium values

The Texas Commission on Environmental Quality (TCEQ) instructed DOE to justify the inclusion of the two highest chromium values (31.8 µg/L and 7.1 µg/L) or remove them from the background data set[12]. DOE did not remove them.

DOE's justification for retaining the chromium values is: "*Consistent with Ogallala Wells Owned by Adjacent Landowners*"[13]. And, in a footnote DOE states: "*Ogallala groundwater backgrounds were developed from data collected only in wells supported by documented completion/construction logs. Data from many Ogallala wells completed in areas adjacent to the Pantex Plant, including neighboring landowner wells, could not be included because a document completion/construction log could not be located. Nevertheless, the concentrations of some constituents, such as chromium, may appear to be outliers in the data set used, but are clearly within the range of concentrations observed when these other Ogallala well data are considered.*"[14]

The revised RRRG contains no further explanation for retaining the chromium values. Nor does it provide any information concerning the locations of the wells or the concentrations of chromium and other analytes in samples collected from these wells.

DOE and TCEQ have established criteria for background wells[15]. One criterion is: "*Well installation and lithologic information are available for the wells*". This information does not appear to be available for the wells owned by adjacent landowners.[16] Therefore, the use of data from these wells violates the criteria

[10] DOE 2004a, page 28.
[11] DOE 2004a, page 28
[12] TCEQ, 2003, pages B-10 and B-11. Both of these results are from well PTX08-1011A.
[13] DOE 2004a, table C3-1.
[14] DOE 2004a, footnote to table C3-1.
[15] DOE 2004a, pages C-1 and C-6.
[16] DOE 2004a, footnote to table C3-1.

agreed upon by DOE and TCEQ. Data from these wells should not be used to determine background concentrations.

Perchlorate analyses

DOE has lowered the PQL for perchlorate from 20 μg/L to 12 μg/L[17]. However, in the last few years a more sensitive analytical technique has been developed (LC/MS/MS, LC/ESI-MS/MS). The detection limits for this technique are 0.5 μg/Kg and 0.05 μg/L for soil and water, respectively[18]. Assuming a PQL equal to five times the detection limit, the PQL for water would be 0.25 μg/L. This is more than 40 times lower than DOE's PQL for Pantex.

The new method is being used by Los Alamos National Laboratory (LANL) and the State of New Mexico to determine background concentrations of perchlorate in groundwater beneath the Pajarito Plateau. LANL and the State are reporting perchlorate concentrations as low as 0.09 μg/L[19].

When determining the extent of contamination, DOE is required to use the "*most sensitive standard available method for the contaminant in the specified medium*".[20] DOE should use the new analytical technique at Pantex

VOCs - inhalation and dermal contact during showering

In calculating media-specific concentrations (MSCs)[21] for volatile organic compounds (VOCs) in groundwater, the previous RRRG considered exposure through inhalation and dermal contact during showering[22]. This consideration has been removed from the revised RRRG. That is, when calculating the MSC, the RRRG no longer considers the risk associated coming into contact with, or inhaling VOCs[23].

DOE should explain why it no longer will consider the risk associated with exposure to VOCs during showering.

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[17] Compare tables 3-13 in DOE 2002a and DOE 2004a.
[18] EPA, 2005a, page 1; and Winkler et al., 2004.
[19] Dale et al., 2004.
[20] DOE 2004a, page 28.
[21] MSCs are health-based standards. MSCs are calculated for individual contaminants in each exposure pathway (DOE 2004a, pages 31 - 33).
[22] DOE 2002a, pages 35 – 37.
[23] DOE 2004a, pages 35 - 36.

References

Dale, M.R., K.P. Graznow, S.M. Yanicak, D. Englert, P. Longmire, D. Counce, 2004, *Trace Perchlorate in Ground Waters of the Pajarito Plateau, Espanola Basin and the Rio Grande North of Taos, New Mexico – Status Summary, Plate 2 – Selected Stations and Results for the Determination of Background Perchlorate in Ground Water, Surface Water, and Precipitation, Pajarito Plateau*, July 2004.

DOE, 2002a; *Risk Reduction Rule Guidance to the Pantex Plant RFI*, Final Report, April 2002.

DOE, 2004a; *Risk Reduction Rule Guidance to the Pantex Plant RFI*, Final Report, March 2004.

EPA 2005a, Recent *Developments in Analytical Methods for Emerging Contaminants*, in Technology News and Trends, Issue 16, January 2005, URL: http://www.clu-in.org/download/newsltrs/tnandt0105.pdf

STAND, 2003; *Background Concentrations of Contaminants in the Ogallala Aquifer at Pantex, An Evaluation*, STAND Technical Report 2003-1, May 2003.

TCEQ, 2003, *Conditional Approval, Final Risk Reduction Rule Guidance (RRRGD) to the Pantex Plant RFI, Dated April 2002*, June 23, 2003.

Winkler P., Minteer M., Willey J., 2004, *Analysis of perchlorate in water and soil by electrospray LC/MS/MS*, Anal Chem. 2004 Jan 15;76(2): 469-73, URL: http://www.ncbi.nlm.nih.gov/entrez/query.fcgi?cmd=Retrieve&db=pubmed&dopt=Abstract&list_uids=14719899

STANDpoint

March 2005

Inside this issue:

Technical Advisory Group Meeting?

In 2001, DOE organized a group of technical experts to review and evaluate groundwater modeling at the Pantex Plant. The experts represented various interests, and groundwater hydrologist George Rice represented STAND on behalf of the community.

This Technical Advisory Group (TAG) met four times between August 2001 and February 2002, and reviewed 19 groundwater flow and contaminant transport models.

Some of the TAG's major recommendations to the DOE included separate models to be used for each of three areas - the Regional Ogallala Aquifer, the Burning Ground and adjacent off-site areas north of Pantex, and the Southeast Plume of onsite Zones 11 and 12, and offsite. The models for both the Burning Ground and Southeast Plume areas were to be linked to the regional Ogallala Aquifer model.

The TAG also recommended that model information, such as final input files, be made available to the public.

DOE accepted the TAG's recommendations on December 5, 2001, and the TAG was to meet annually to review the progress of the groundwater modeling work at Pantex.

However, the TAG has not met since August 28, 2003.

STAND is concerned that DOE has abandoned its commitment to the TAG, and wonders about the status of its modeling and its adherence to the recommendations it accepted.

NOTE source of DOE's commitment: In the TAG Final report (January 2002) the TAG recommends annual meetings (or more frequent, page 53). Page F-2 contains the DOE/BWXT signatures.

By Pam Alison

Grant Updates

STAND recently completed its third and is beginning its fourth grant from the Citizens' Monitoring and Technical Assessment Fund (MTA Fund). The MTA Fund was established as part of a 1998 court settlement between the U.S. Department of Energy and 39 plaintiffs, made up of nonprofit peace and environmental groups around the country. The fund was to enable citizens' groups to hire technical and scientific assistance to review and analyze environmental activities at DOE sites.

STAND will use part of its grant to evaluate possible off-site contamination near Pantex. Pantex used samples from off-site to determine "background" values for evaluating on-site contamination. However, Pantex failed to evaluate those same samples for contaminants known to have originated at Pantex (i.e., high explosives).

By Pam Alison

THE VISION
The Panhandle is our home;
the world is our neighbor.
STAND is committed to building a
sustainable future,
conserving the natural resources
entrusted to our care,
and protecting life, community,
and democracy.

Officers Report

Renewable energy was the theme of the 16th Annual Southern Plains Conference, held this year in Lubbock and now sponsored by Ogallala Commons. Robert Clark and I attended the two-day meeting and learned the latest on alternatives to fossil fuel. The idea is that we residents of the Southern Plains live in the "Saudi Arabia" of wind and solar energy, with the focus on individual, rather than institutional access to the wonders of renewable energy.

Friday was devoted to tours showcasing various real-life examples of alternative energy use in the Lubbock area. Lubbock Christian College, for instance, has converted a large portion of its heating and cooling plant to geo-thermal energy, an application which is readily adapted to one's home.

Saturday's program consisted of lectures and workshops, starting off with an overview of a hundred years of energy generation on the High Plains, presented by Dr. Ken Starcher of the Alternative Energy Institute at West Texas A&M. Dave Regal, manager of EarthSolar in Amarillo, and Dave Stebbins, an Amarillo off-the-grid homeowner, passed on valuable practical information on how individuals can supplement or replace their traditional energy sources with alternatives such as solar and wind power.

Anyone concerned about our slavish dependence on the earth's rapidly disappearing fossil fuels would have drawn inspiration from this conference to make their own personal foray into the world of sustainable energy alternatives. by Harry Everett

2004 High Plains Groundwater Resources Challenges and Opportunities Conference was held at Lubbock Convention Center Dec. 7-9th, 2004. There were informative presentations of studies of the area and reports by authorities of groundwater issues. Dr. Judy Reeves, Professor at Texas Tech University, Geology Department, began the conference by demonstrating how the Ogalalla Aquifer was formed and how many trillion years it took to build the bank of water known as the aquifer. Recharge occurs at 1/4" to 2.5" per year, depending on the location.

C.E. Williams , Panhandle Groundwater District, spoke next on the current rules used to "allow 50% of the aquifer to be pumped in 50 years".

The State of Texas is offering many suggestions towards conserving the water we have, but they are only "recommendations" at this time. Their "recommendations" are not mandatory.

Professionals who are paid to study our water supply to determine availability for our children's future are alarmed. They all agree that good management of our resources is imperative.

The big question is: Who owns the ground water? Texas Legislature is pondering that question. Concerns among many are evident and better management policies seem inevitable. The idea of increasing power amongst individual water districts is most popular, since each district knows its area's needs best. by Sara Black

Conservation Corner

"We are using our freshwater faster than we are recharging our groundwater.
Earth will not get any more water. Conserve water before there is no water to conserve."
Natural Resources Conservation Service, USDA

Ask your city water department how you can do your part in conserving water this summer!
(Tip: Water your lawn in the early morning, before the wind gets up and blows it away.)

In Memoriam

William Klingensmith, M.D.
1920 – 2005

STAND deeply regrets the passing of William Klingensmith, a friend and invaluable member of the Board of Directors until 2003. His perceptive observations, humor, and generous spirit were a source of support to all with whom he worked. His interest in and care for the world and his home region, and his active work for what he believed in, are an inspiration still. We will miss him.

Pantex Well Discussion

At the December Quarterly Groundwater meeting, BWXT-Pantex addressed questions raised in previous meetings. Two of the Ogallala wells of concern were OW-WR-40 and PTX06-1016 that had not been sampled in years.

According to BWXT:
Well # OW-WR-40, located near Playa One

- Was drilled 683 ft deep in October 1985 and sampled 107 times (1988 to 1998).
- Was no longer sampled because it has only a 2-inch well and was constructed of galvanized piping, which is deteriorating.
- Found only two contaminants – Thallium (0.1, 0.3, 0.2, and 0.1 mg/L in 1993-1994) and Mercury (0.2 ug/L in 1997).
- Re-sampled, but contaminants not detected.

However, BWXT did not:

- Explain why this well was not sampled between 1985 and 1988
- Mention other Contaminants that were detected in the last reported sample, collected in October 1998, in ug/L (ppb):

Hexavalent Chromium	10 1, 2.3
Trichlorobenzene	1.2
1,2,4-Trichlorobenzene	0.85 *
1,2-Dibromo-3-Chloropropane	3.2
Hexachlorobutadiene	0.66 *
Methyl Isobutyl Ketone	4.6 *
Naphthalene	3.9

(* Contaminant present but concentration is estimated)

According to BWXT:
Well # PTX06-1016, located in Zone 12

- Was drilled 528 ft deep in August 1995 and sampled 69 times (1995 to 2000).
- Had only one Contaminant detected in May 1999 – Nitrotoluene (0.2 ppb)
- Was last sampled in February 2000 and no contaminants were detected.
- Was no longer sampled because the water level dropped below the screen interval (August 2001), preventing sampling.

BWXT did not explain:

- Why Contaminants (May 1999) reported on the Pantex website included:

2-Nitrotoluene	0.24 ppb
Dibromofluoro-methane	44.00 ppb

- why only High Explosives were analyzed in the re-sampling on February 2000.

By Pam Allison

You are invited to join STAND and/or Donate to defer costs! Fill in and return this form to the STAND office, address on back.

Name _____

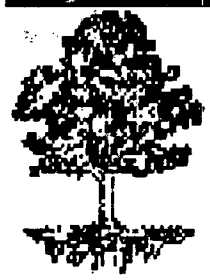
Address _____ **City** _____

State and Zip _____ **Phone** _____

Fax _____ **e-mail** _____

I have enclosed my contribution to STAND for: $_____ Annual Membership Dues ($20/ person or $10/student, part-time worker, or senior) $_____ Additional Tax Deductable Contribution for STAND work I would like to serve on the following committees:

☐ Membership ☐ Information ☐ Fund Raising ☐ Other_____



STAND

7105 W. 34th Ave. Suite E
Amarillo, Texas 79109-2907
Ph # 806-358-2622
E-mail <stand@arn.net>

Technical Assistance Grants from the EPA make it possible for STAND to hire scientists to review DOE/ Pantex reports. **For copies** of their reviews or TCEQ memoranda, contact STAND office .

Quarterly Groundwater Meeting—March 7, 2005
Panhandle Square House Museum—4PM (Copy of Agenda Available)
(Tentatively Next Meeting June 7th)

Earth Day is April 22, 2005. Watch for Conservation Consciousness Contest

5th Annual Statewide Water Conference, March 4th, 2005. Austin (Ph# 512-691-3435)

Recycling tip of the quarter!

BFI will furnish a container for office paper and pick it up from your business.
They will shred confidential papers and furnish a certificate.

Recycling info can be found at amarillorecycles.com

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4. TAG File

TAG Quarterly Progress Report

Date: 4/26/05
Report Number: 10
Report Period: 1/1/05 - 3/31/05

Site: MolyCorp
Grant Recipient: Rio Colorado Reclamation Committee
Recipient Group Representative: Rachel Conn
Technical Advisor: Ken Klco
Grant Administrator: Patrick Nicholson

Progress Achieved:

- The RCRC Technical Advisor submitted the following documents:

  - Follow-up questions from February 1, 2005 teleconference call.

  - Report on the Technical Advisor's Activities for the 1st Quarter 2005 from Technical Advisor Ken Klco.

- RCRC Board drafted a Strategic Plan to guide the organization's efforts during the coming years.

- Two Board of Directors' meetings occurred in February on the 16th and 28th.

- RCRC continued to review and respond to the latest ATSDR Public Health Assessment report.

- Reviewed and responded to the Town of Questa Sampling and Analysis Plan.

- Prepared next newsletter edition of "Cuentos del Rio".

- Discussed FMA process and dialoged with the EPA regarding RCRC's involvement.

- Discussed the EPA's December 8, 2004 Questa Community Meeting.

- RCRC members quoted in the continuing extensive local and regional press coverage on issues related to the MolyCorp mine and its Superfund listing.

Difficulties Encountered:

FMA stability issues are part of the superfund process and RCRC encountered difficulty working and convincing the EPA of this fact.

Board is quite busy with other matters, almost lacked quorum at last meeting.

Percent of Project Completed to Date:

N/A

Deliverables Produced This Quarter:

- Follow-up questions documented from February 1, 2005 teleconference call. (Programmatic Condition s.)
- Report on the Technical Advisor's Activities for the 1st Quarter 2005 from Technical Advisor, Ken Klco.
- RCRC members quoted in the continuing extensive local and regional press coverage on issues related to the MolyCorp mine and its proposed Superfund listing. (Programmatic Condition n.)

Activity Anticipated in the Next Quarter:

- TAG contract renewal.
- Identify new Board members.
- Continued engagement and participation in FMA meetings and other relevant superfund issues.
- Additional Board Meetings are scheduled.
- Next edition of the RCRC newsletter, "Cuentos del Rio".
- RCRC Technical Advisor will comment on any draft or final documents released by the US EPA or other relevant parties.

ASAP Drawdowns:

One drawdown was requested this quarter - on February 10 for $1,539. As RCRC is still awaiting reimbursement authorization, this amount is pending.

Subject: 20105teleconference
Date: Friday, February 4, 2005 4:26 PM
From: Ken Klco <azurite@amigo.net>
To: "Foreback, Terence" TForeback@state.nm.us
Cc: Rachel Conn rconn@amigosbravos.org

Azurite, Inc.

10001 CR 12 P.O. Box 338

Cotopaxi, Colorado 81223

719-942-4178

February 3, 2005

Terrance G. Forebeck, P.E.

New Mexico Mining and Minerals Division

Pinon Building

1220 South St. Francis Drive

Santa Fe, NM 87505

RE: FEB 1 TELECONFERENCE CALL

Dear Terry,

First off, thank you very much for the opportunity to listen in on the recent teleconference call concerning the FMA process. Being present during the teleconferences enables me to keep up to speed on the team's progress and supports my level of understanding of the FMA process. My wish is to stay as inconspicuous as possible, while remaining engaged in the group effort for a maximum level of information gain with a minimum of disruption or time consumed based on my questions. Tuesday's comments left me with some

questions that (at the time) I felt might better be answered at a later date, maybe during our next group meeting. Since that will not be until late April, I thought I'd relate some of these thoughts to you now for your consideration and comment if you feel that is necessary. I'd appreciate your feedback.

Concerning the four drill holes located in the front rockpiles showing high temperatures---This condition is obviously reflecting chemical change underway and while I have not heard any direct comments regarding the actual mechanism, we can probably rule out the composting of organics and natural geothermal conditions. (at least I am not aware of any report of such in the past). So much for my attempt at humor--- One possible conclusion, obviously, is that oxidation of pyritic material in the waste rock is resulting in the elevated temperatures encountered. While

quenching of holes with water may allow for short term SI operations, the likelihood of drill hole degradation is high as noted that 2 of the 4 holes are now at least partially blocked and most likely unusable for data collection without further drilling rig work. Several questions come to mind regarding the quenching procedure: How much water are we talking about? Is there potential to actually increase the ARD potential currently underway? Can water injection, especially if repeated, destabilize the rockpiles by increasing pore pressures within the rockpile?

Water injection will likely result in eventual flow to bedrock, colluvium, and ultimately alluvium and the Red River. Are the quenching attempts so small that no measureable change is likely to to occur or has any attempt been mentioned to monitor possible changes in monitoring wells directly below the front rockpiles?

Elevated temperatures within the rockpiles suggest a dynamic geochemical process at work within the piles. Addition of water would likely add to those dynamic conditions, a situation that appears to add complexity to the overall task of measuring minute changes within the rockpile. Is it possible that the addition of water could exacerbate the potential for movement while attempting to moderate rockpile interior temperature? The point that a dynamic condition exists rather than a static condition within the pile suggests that considerable change

may occur over time.

Additionally, some mention has been made to W. Wilson's work regarding modeling the geochem parameters within the rockpile. Has he or his group of investigators been contacted regarding these conditions? It would be interesting to hear his take on the elevated temperatures.

Has the elevated temperature phenom been logged as to location within the pile or in relation to the rockpile/ bedrock interface?

I agree that the proposed geophysical logging for clay zone confirmation/location might be helpful in comparing Goat Hill North clay seam/potential shear zone occurance to the front rockpiles, but also feel that further study of the elevated temperatures within the rockpiles may help to identify zones of geochemical process/ weathering/oxidation that may result in clay mineral formation over relatively short spans of time, even if geophysical measurements do not reflect current rockpile conditions.

Has there been any discussion regarding placement of surface located GPS units (similar to Goat Hill and Slickline Gulch monitoring efforts) on the front rockpiles in lieu of or to supplement the SI installation attempts? Given that 2 of the 4 holes are currently limited as to data retrieval potential, a "Plan B" for near term front rockpile monitoring might be considered.

Well, you can probably see now why I hesitated to start asking questions during the teleconference. I hope that some of the above questions might be worth thinking about and asking to those folks who may have some answers. I look forward to hearing from you at your convenience. Thanks again for including me in these very interesting and important discussions.

KSKlco

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April 11, 2005

Rio Colorado Reclamation Committee
Rachel Conn
Patrick Nicholson
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Questa, NM 87556

1ST QUARTER, 2005, ACTIVITY REPORT

January 14th-15th---attended site meeting with Molycorp personnel and technical consultants regarding investigations underway to monitor and measure rates of subsidence and rockpile stability potentials due to current underground mining methods impacts. Rockpiles stability issues include potential impacts to groundwater quality directly down gradient of rockpile locations (Red River Drainage, Slickline Gulch, Sulphur Gulch). Potential impacts to groundwater quality are reflected in thermally active drill holes at several locations in the rockpiles and increased percolation and permeability imposed in bedrock areas subject to active subsidence.

January 20th—attended RCRC board meeting, Taos, to review progress of data review, plans for budget control, and work issues for quarter.

January 25th---office hours expended in reviewing subsidence issues from current mining operations related to potential groundwater quality impacts, correspondence with agency personnel and attending teleconferences to keep informed on bedrock and rockpile stability issues related to potential impacts to groundwater quality.

February, 2005---office hours limited to e-mail correspondence and teleconference call, no invoices sent.

March, 2005---office hours expended limited to e-mail correspondence, no invoice sent.

Molycorp's rock pile project enters next phase

Molycorp and EPA accused of cutting out public input

By Bobby Magill
The Taos News

QUESTA — Molycorp's Goat Hill North rock pile stabilization project at its molybdenum mine is in its third phase, expected to be complete at the end of the month.

Though Molycorp and the state Division of Mining and Minerals claim the project is progressing with only a few hitches, the Río Colorado Reclamation Committee says the public is being shut out of the project's oversight process.

The Goat Hill North waste rock pile was found to be unstable in 2003, and some feared that it could threaten the village of Questa if the pile were to slide into Red River Canyon. Molycorp began a four-phase stabilization project last year to prevent that from happening.

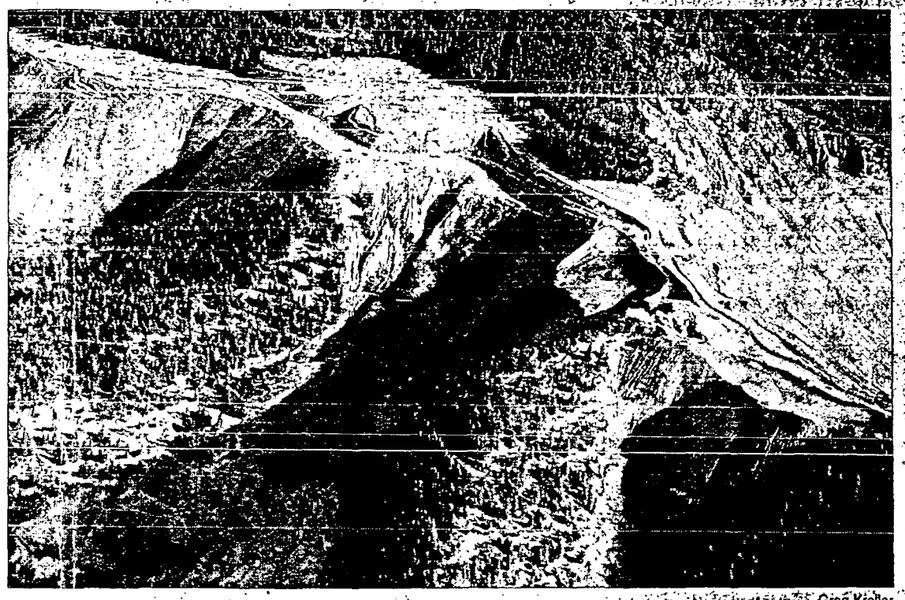
In Phase III of the project, part of what the company calls "the main push," Molycorp workers are moving the unstable portion of the pile, near its top, to the bottom of the pile near where a buttress was constructed in Phase II, said Molycorp representative Kirsten Knoepfle.

But as the project continues, the RCRC's Rachel Conn, also of Amigos Bravos, says the committee is concerned about the rock pile's stability issues, but the U.S. Environmental Protection Agency is shutting its members out.

The RCRC was formed to address primarily water and pollution issues at the mine after the mine was declared a Superfund site. The EPA, under Superfund, is charged to address the mine's threats to public health and the environment. Because of that charge, Conn said the RCRC believes that rock pile instability issues fall within the purview of Superfund, the EPA and RCRC.

The RCRC is using a federal technical assistance grant, or TAG, to address technical issues at the mine as part of the EPA's investigation of contamination the mine has caused in surface and ground water. But Conn said the EPA won't let it use TAG money to address instability issues despite it being a risk to public health.

She said the RCRC doesn't have the federal funding to send an engineer to meetings with Molycorp and the MMD to address technical issues with the rock pile stabilization project.



Greg Kieller

An bird's-eye view of Goat Hill North, where the third phase of Molycorp's rock pile stabilization is in progress.

Conn said the EPA sent the RCRC a letter stipulating that it could attend the meetings only if the RCRC would agree to talk about water quality issues and not address rock pile instability, preventing the RCRC's members from having input.

The EPA's Mark Purcel, manager of the agency's investigation project under Superfund, said Jan. 4 his agency never told the RCRC it couldn't attend the technical meetings.

"This was an issue that Molycorp raised because the technical adviser to the RCRC was sitting in on technical meetings to waste rock piles," Purcel said. "Molycorp was upset that they were paying for this man being at these technical meetings" when they believed that Superfund didn't address instability issues.

Molycorp does not pay for an RCRC representative to be at the meetings, Conn said.

"We sent Molycorp a message that clearly it was fine," Purcel said. "We felt as a TAG group he could do that," despite that the RCRC says it can't get TAG funding to send a representative to the meetings.

He said the EPA told the RCRC their technical adviser should be focused on the investigation of pollutants, not instability issues. He didn't say the RCRC representative couldn't talk about the rock piles.

Knoepfle said the RCRC's participation isn't necessary.

"Molycorp feels that the public is represented at these stability meetings," she said. "Between the village (of Questa) having their expert there, the state who has the internal experts and the fact that Amigos Bravos has had an expert, we really feel the public is being served by these parties."

Conn said each group, including the RCRC, has different members with different interests, and Molycorp is shutting out an entire group of residents affected by the mine.

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RSR CORPORATION SUPERFUND SITE

Construction Completion
Ready for Reuse Determination

Informational Bulletin
Dallas, Texas **May 2005**

This fact sheet will tell you about:

- What's going on at the site
- How to find out more about the site.

West Dallas Area Ready for Revitalization

On May 10, 2005, the U.S. Environmental Protection Agency (EPA), the State and the city will celebrate completion of all remedial activities at the RSR Superfund site. In addition, EPA, the Texas Commission on Environmental Quality and the City of Dallas will sign Ready for Reuse Determinations for five areas of the RSR Superfund site, signaling that these areas are ready for beneficial reuse in the community.

On September 28, 2004, EPA signed the Preliminary Close Out Report (PCOR) for the RSR Corporation Superfund site. The PCOR documents that all construction activities have been completed for the five operable units that comprise the RSR site. The EPA and the Texas Commission on Environmental Quality (TCEQ) worked closely in overseeing the construction activities conducted by the RSR Corporation under a Consent Decree. The completion of construction activities has resulted in more than 300 acres being made available for industrial or commercial development.

The RSR Corporation Superfund Site (RSR Site) Study Area encompasses approximately 13.6 square miles in West Dallas. Population within the site numbers approximately 17,000. On September 29, 1995, the RSR Site was listed on the National Priorities List (NPL) of Superfund Sites. The RSR Site consists of five operable Units (OUs): OU1 - Residential property; OU2 - Dallas Housing Authority [DHA] property; OU3 - Slag piles/Former municipal landfills; OU4 - Smelter property; and, OU5 - Battery Breaking facility/Other Industrial property.

OU NO. 1 - Private Residential Properties: From 1991 to June 1994, EPA's Emergency Response Branch conducted removals at 420 residential and high risk areas (schools, church playgrounds, parks) in West Dallas. Thirty (30) residential owners refused access for collection of samples or removal activities. As a result of additional sampling events conducted in 2000 and 2001, cleanup activities were completed at ten residential properties in early June 2002.

OU NO. 2 - Public Residential Properties: In August 1993, EPA signed an Administrative Order on Consent (AOC) with DHA. In March 1995, DHA completed demolition of 167 buildings and removal of approximately 24,000 cubic yards of non-hazardous soils from OU No. 2 to offsite disposal facilities.

OU NO. 3 - Landfills/Slag Piles: OU No. 3 consists of three sites. Field construction activities for OU No. 3 started in January 2004 and were completed in August 2004. EPA and the TCEQ conducted the Pre-Final inspection on August 24, 2004. The Final Inspection was completed in September 2004.

OU NO. 4 - Smelter Facility: Cleanup activities at the former smelter facility started in September 2000 and were completed in September 2001. EPA and the

TCEQ conducted the Final Inspection in November 2001 and the Final Remedial Action Report was approved by EPA in December 2001.

OU NO. 5 - Battery Breaking Facility: OU No. 5 includes four subareas. Subarea 1 is owned by the Murmur Corporation and Subareas 2, 3, and 4 are owned by the RSR Corporation. RSR Corporation (the Potentially Responsible Party) started field construction activities in June 2003 and completed work in October 2003, for Subareas 2, 3, and 4. EPA and TCEQ conducted the Final Inspection for Subareas 2, 3, and 4 of OU No. 5 in October 2003. EPA approved the Remedial Action Report for Subareas 2, 3, and 4 of OU No. 5 on March 1, 2004. Remedial Action activities for Subarea 1, were started by EPA with PRP funding in January 2004. Field construction activities were completed in July 2004 and EPA and TCEQ conducted the Final Inspection on August 3, 2004.

For more information, please contact...

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To: Zana Halliday/R6/USEPA/US@EPA
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